

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

G.L. McLEOD,

Plaintiff,

v.

GPC, Inc. a foreign corporation doing  
business in Alabama under the name of  
NAPA and GENUINE PARTS  
COMPANY, Inc., a foreign corporation  
doing business in Alabama under the  
name of NAPA,

Defendants.

RECEIVED  
2007 MAY 16 P 3:50  
CLERK OF DISTRICT COURT  
MIDDLE DISTRICT ALA.  
CIVIL ACTION NO. 2:07cv435-ID

ANSWER

COME NOW all of the Defendants herein, and jointly answer Plaintiff's  
Complaint as follows

FIRST DEFENSE

Plaintiff's Complaint, in whole or in part, fails to state a claim upon which relief  
can be granted.

SECOND DEFENSE

Plaintiff's claims are barred, in whole or in part, by the statute of limitations.

THIRD DEFENSE

Plaintiff's claims are barred, in whole or in part, by the doctrines of estoppel or  
laches.

FOURTH DEFENSE

Plaintiff's claims have been released.

FIFTH DEFENSE

Plaintiff has failed to exhaust administrative remedies available under the applicable plan.

SIXTH DEFENSE

Plaintiff has failed to join necessary and/or indispensable parties.

SEVENTH DEFENSE

Defendants respond specifically to the allegations of Plaintiff's Complaint as follows:

1. Defendants admit that Plaintiff has been employed by one or more of Defendants, or a predecessor, and will confirm dates of employment in discovery.

2. Defendants deny that Plaintiff's pension benefits were improperly calculated. Defendants deny any remaining allegations in Paragraph 2.

3. Defendants admit that Plaintiff has received pension statements, which speak for themselves. Any remaining allegations in Paragraph 3 are denied.

4. Defendants admit only that Plaintiff disputes the proper amount of his benefit. Defendants deny that Plaintiff's pension benefits were improperly calculated.

Any remaining allegations in Plaintiff's Complaint are denied unless expressly admitted above.

WHEREFORE, having fully answered Plaintiff's Complaint, Defendants pray that this action be dismissed with all costs taxed to Plaintiff.

Respectfully submitted this 16<sup>th</sup> day of May, 2007.



**ROBERT F. NORTHCUTT (NOR015)**

*ATTORNEY FOR DEFENDANTS*

**OF COUNSEL:**

CAPELL & HOWARD, P.C.

150 South Perry Street

Post Office Box 2069

Montgomery, Alabama 36102-2069

Telephone: (334) 241-8000

Telecopier: (334) 241-8282

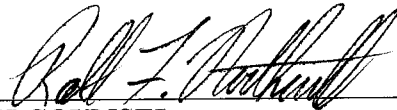
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed persons by placing a copy of the same in the United States mail, postage prepaid and properly addressed, this the 16<sup>th</sup> day of May, 2007:

William R. King, Esq.

586 East Third Street

Luverne, AL 36049



OF COUNSEL